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NOTICE

The undermentioned Gazette of India Extraordinary was published upto the 20th January, 1960 :—

Issue No.	No. and date	Issued by	Subject
6	G. S. R. 98, dated 20th January, 1960.	Ministry of Law	The Constitution (Application to Jammu and Kashmir) Amendment Order, 1960.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 19th January 1960

THE INDIAN ADMINISTRATIVE SERVICE (SENIORITY OF SPECIAL RECRUITS) REGULATIONS, 1960

G.S.R. 102.—In pursuance of rule 5-A of the Indian Administrative Service (Regulation of Seniority) Rules, 1954, the Central Government after consultation with the State Governments and the Union Public Service Commission, hereby makes the following regulations, namely:—

1. Short title.—These regulations may be called the Indian Administrative Service (Seniority of Special Recruits) Regulations, 1960.

2. Definitions.—(1) In these regulations, unless the context otherwise requires,—

(a) 'junior scale' means the junior time scale prescribed in the Indian Administrative Service (Pay) Rules, 1954;

- (b) 'officer' means a member of the Service appointed under the Indian Administrative Service (Special Recruitment) Regulations, 1956;
- (c) 'Pay' means basic pay and shall exclude all other emoluments, such as allowances and personal pay.

(2) All other words and expressions used in these regulations and not defined but defined in the Indian Administrative Service (Regulation of Seniority) Rules, 1954, shall have the meanings respectively assigned to them in those rules.

3. Assignment of year of allotment.—(1) Every officer appointed to the Service under regulation 3 of the Indian Administrative Service (Special Recruitment) Regulations, 1956, shall be assigned a year of allotment in accordance with the provisions of this regulation.

(2) In the case of officers appointed in accordance with clause (a) of regulation 3 of the Indian Administrative Service (Special Recruitment) Regulations, 1956, their year of allotment shall be determined on the following basis:—

Year of allotment = 1958 minus (N_1 Plus half of N_2) :

Provided that in calculating N_1 and N_2 only completed year of service shall be taken into account:

Provided further that in the case of officers in service outside India or other employment or professional calling, the basic pay will be calculated *ad hoc* by the Central Government by the exclusion of—

- (a) income other than remuneration for service rendered,
- (b) the element of dearness and compensatory allowances, and
- (c) the element of pay attributable to the high cost of living in countries outside India.

Explanation.—The period (including broken-periods) spent in service or other employment or professional calling by an officer after attaining the age of 25 years upto 31st March, 1958, will be N . N will be divided into two parts, N and N_1 .

- (a) N_1 will be the period (including broken period) out of N during which the officer drew a basic pay of Rs. 800 per mensem and above.
- (b) N_2 will be the period (including broken period) out of N during which the officer drew a basic pay of Rs. 200 per mensem and above but less than Rs. 800 per mensem.

(3) In the case of officers recruited by promotion from the State Civil Service under clause (b) of regulation 3 read with regulation 9 of the Indian Administrative Service (Special Recruitment) Regulations, 1956, the year of allotment shall be fixed in accordance with the provisions of clause (b) of sub-rule (3) of rule 3 of the Indian Administrative Service (Regulation of Seniority) Rules, 1954.

(4) In the case of officers recruited by selection from the State Services (other than the State Civil Service) under clause (b) of regulation 3 read with regulation 9 of the Indian Administrative Service (Special Recruitment) Regulations, 1956, the year of allotment shall be determined in accordance with the provisions of clause (c) of sub-rule (3) of rule 3 of the Indian Administrative Service (Regulation of Seniority) Rules, 1954.

(5) Notwithstanding anything contained in sub-regulation (3) or sub-regulation (4), any officer referred to in any such sub-regulation appointed to the junior scale shall be given the same year of allotment as the officer appointed under clause (a) of sub-rule (1) of rule 4 of the Indian Administrative Service (Recruitment) Rules, 1954, in the junior scale, who started drawing immediately before the date of promotion of the officer from the State Civil Service or the State Service (other than the State Civil Service), that pay or more which the promoted officer is to get on his appointment to the Service:

Provided that if the pay of the Special Recruit is more than the pay of the senior-most direct recruit in the junior scale, he shall have the same year of allotment as that of the junior-most direct recruit officiating in the senior scale.

4 Seniority of officers.—The seniority of officers *inter se* shall be determined in accordance with the provisions hereinafter made in this regulation—

- (1) Officers appointed in accordance with clause (a) of regulation 3 read with regulation 8 of the Indian Administrative Service (Special

Recruitment) Regulations, 1956, shall rank junior to all other officers who are assigned the same year of allotment. The seniority *inter se* of such officers shall be in accordance with their rank in the result published by the Commission.

- (2) Officers appointed in accordance with clause (b) of regulation 3 read with regulation 9 of the Indian Administrative Service (Special Recruitment) Regulations, 1956, and who have been assigned the same year of allotment shall be ranked *inter se* in the order in which their names appear in the lists prepared in accordance with regulation 9 of those regulations, and shall be assigned a place *ad hoc* by the Central Government but generally below the other officers appointed to the Service in accordance with the provisions of sub-rule (1) or sub-rule (2) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954, as the case may be.

5. Interpretation.—If any question arises relating to the interpretation of these regulations it shall be referred to the Central Government whose decision thereon shall be final.

6. Saving.—Any order already made or action taken in respect of any matter covered by these regulations shall be deemed to have been made or taken under the provisions of these regulations.

[No. 6/13/58-AIS(I).]

INDIAN POLICE SERVICE (SENIORITY OF SPECIAL RECRUITS) REGULATIONS, 1960

G.S.R. 103.—In pursuance of rule 5-A of the Indian Police Service (Regulation of Seniority) Rules, 1954, the Central Government, after consultation with the State Governments and the Union Public Service Commission, hereby makes the following regulations, namely:—

1. Short Title.—These regulations may be called Indian Police Service (Seniority of Special Recruits) Regulations, 1960.

2. Definitions.—In these regulations, unless the context otherwise requires,

- (1) 'officer' means a member of the Service appointed under the Indian Police Service (Special Recruitment) Regulations, 1957.
- (2) All other words and expressions used in these regulations and not defined but defined in the Indian Police Service (Regulation of Seniority) Rules, 1954, shall have the meanings respectively assigned to them in those rules.

3. Assignment of year of allotment.—Every officer appointed to the Service in accordance with the provisions of the Indian Police Service (Special Recruitment) Regulations, 1957, shall be assigned a year of allotment in accordance with the provisions of clause (b) of sub-rule (3) of rule 3 of the Indian Police Service (Regulation of Seniority) Rules, 1954.

4. Seniority of officers.—The officers who are assigned the same year of allotment, shall rank *inter se* in the order in which their names appear in the lists prepared in accordance with regulation 4 of the Indian Police Service (Special Recruitment) Regulation, 1957, and their Seniority shall be determined by the Central Government *ad hoc*, but generally below the other officers appointed to the Service in accordance with the provisions of rule 9 of the Indian Police Service (Recruitment) Rules, 1954.

5. Interpretation.—If any question arises relating to the interpretation of these regulations, it shall be referred to the Central Government whose decision thereon shall be final.

6. Saving.—Any order already made or action taken in respect of any matter covered by these regulations shall be deemed to have been made or taken under the provisions of these regulations.

[No. 6/13(i)/58-AIS(I).]

L. M. NADKARNI, Jt. Secy.

New Delhi, the 23rd January 1960

G.S.R. 104.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi the Orissa Warehouse Act, 1956 (Orissa Act 4 of 1957), as at present in force in the State of Orissa, subject to the following modifications, namely:—

Modifications

1. Save as hereinafter provided, throughout the Act, for the words "State Government", the words "Chief Commissioner" shall be substituted.
2. In sub-section (2) of section 1, for the words "the State of Orissa", the word "Delhi" shall be substituted.
3. In section 2—
 - (i) for clause (a), the following clauses shall be substituted, namely:—
 - "(a) "Chief Commissioner" means the Chief Commissioner of Delhi;
 - (aa) "co-operative society" means a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, as extended to Delhi;"
 - (ii) after clause (b), the following clause shall be inserted, namely:—
 - "(bb) "Delhi" means the Union territory of Delhi;"
 - (iii) for clauses (d) and (e), the following clauses shall be substituted, namely:—
 - "(d) "licensed warehouse" means a warehouse licensed under this Act;
 - (e) "notification" means a notification in the Delhi Gazette;"
4. In sub-section (2) of section 5, for the word "Government", the words "Chief Commissioner" shall be substituted.
5. The Explanation below section 15(1) shall be omitted.
6. In section 18, for the words "fire, rain, floods, theft, riot, or civil commotion", the words "fire or theft" shall be substituted.
7. In the proviso to section 19, for the words "the State", the word "Delhi" shall be substituted.
8. In section 33—
 - (a) in sub-section (1), after the word "may" the words "by notification and" shall be inserted;
 - (b) in sub-section (2), the words "add any article to, or omit any article from, the Schedule or" shall be omitted.
9. For the Schedule, the following Schedule shall be substituted, namely:—

"SCHEDULE

[See section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates,
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides "

ANNEXURE

THE ORISSA WAREHOUSE ACT, 1956 AS EXTENDED TO THE UNION TERRITORY OF DELHI.

ORISSA ACT 4 OF 1957

THE ORISSA WAREHOUSE ACT, 1956

An Act to provide for the establishment and regulation of warehouses in the State of Orissa.

Whereas it is expedient to encourage the establishment of licensed warehouses and make provision for their proper supervision and control;

It is hereby enacted by the Legislature of the State of Orissa in the Seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Orissa Warehouse Act, 1956.

(2) It extends to the whole of Delhi.

(3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint in this behalf.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Chief Commissioner" means the Chief Commissioner of Delhi;

(aa) "Co-operative Society" means a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, as extended to the Union territory of Delhi;

(b) "Depositor" means a person who tenders his goods to the warehouseman for storing in his warehouse and includes any person who lawfully holds the receipt issued by the warehouseman in respect of such goods and derives title thereto by a proper endorsement or transfer thereof to him by the depositor or the depositor's lawful transferee;

(bb) "Delhi" means the Union territory of Delhi.

(c) "goods" means any of the articles specified in the Schedule to this Act: Provided that the Chief Commissioner may, by notification, add to or omit any article from the Schedule;

(d) "licensed warehouse" means a warehouse licensed under this Act;

(e) "notification" means a notification in the Delhi Gazette;

(f) "person" shall include any company or association or body corporate;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "receipt" means a warehouse receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;

(i) "warehouse" means any building, structure or other protected enclosure which is or may be used for the purpose of storing goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other public carriers and the like;

(j) "warehouseman" means a person, who has obtained licence under this Act in respect of his warehouse.

CHAPTER II

LICENSING OF WAREHOUSES

3. **Warehouseman.**—No person shall carry on the business of a warehouseman except under licence granted under this Act and in accordance with such terms and conditions thereof as may, from time to time, be prescribed under this Act.

4. **Grant of Licence.**—(1) Application for a licence shall be made in the prescribed form to the prescribed authority.

(2) The prescribed authority may, on receiving such application and on payment of such fees as may be prescribed, grant a licence.

5. Conditions for licence.—(1) Before granting a licence, the prescribed authority shall satisfy itself:—

- (a) that the warehouse is suitable for proper storage of the class or classes of goods in respect of which the licence has been applied for;
- (b) that the applicant is competent to conduct such a warehouse;
- (c) that the applicant has paid the fee prescribed for the licence and has also paid the prescribed security, if any; and
- (d) that there is no other valid reason for which the applicant for the licence may, in the opinion of the prescribed authority, be deemed to be disqualified.

(2) The Chief Commissioner may, by notification, add to or alter the terms and conditions under which a licence is granted to a warehouseman under section 4.

6. Term and renewal of licence.—Every licence granted under section 4 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time by the prescribed authority and for such period as may be prescribed, provided the other conditions referred to in section 5 continue to be fulfilled.

7. Notice of refusal to grant or renew licence.—If the prescribed authority refuses to grant or renew a licence under the foregoing provisions, it shall record its reasons for such refusal in writing and communicate the order to the applicant by forwarding a copy thereof.

8. Suspension and cancellation of licence.—Every licence granted under section 4 or renewed under section 6 shall be liable to be suspended or cancelled by the prescribed authority, if in its opinion,

- (a) the licensee has applied to be adjudicated, or been adjudicated, an insolvent; or
- (b) has parted, in whole or in part, with his control over the warehouse; or
- (c) has ceased to conduct such warehouse; or
- (d) has made unreasonable charges for the services rendered by him; or
- (e) has in any other manner become incompetent to conduct such warehouse; or
- (f) has contravened or failed to comply with any of the terms and conditions of the licence or any of the provisions of this Act and the Rules; or
- (g) has contravened any other prescribed ground.

9. Notice of suspension and cancellation of licence.—(1) Before making an order of suspension or cancellation of licence under section 8, the prescribed authority shall give notice to the licensee stating the grounds on which it is proposed to take action to show cause as to why his licence shall not be suspended or cancelled within such date as may be specified in the said notice.

(2) After considering the explanation, if any, offered under sub-section (1), the prescribed authority may pass such final order as it deems fit.

(3) If any licence is suspended or cancelled; the prescribed authority shall make an entry to that effect in the licence.

10. Return of licence.—When a licence expires, or is suspended or cancelled the warehouseman shall cease to carry on the business of a warehouseman and shall return the licence to the prescribed authority, who shall give reasonable time to the warehouseman to enable him to wind up the business.

11. Duplicate licence.—(1) Where a licence granted to a warehouseman is lost, destroyed, torn, defaced or otherwise becomes illegible, the prescribed authority shall issue a duplicate licence on the application of the warehouseman and on payment of the prescribed fee.

(2) When a duplicate licence is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of issue of the duplicate and that of the original from the record of the office issuing the licence.

CHAPTER III

DUTIES OF A WAREHOUSEMAN

12. **Reasonable care of the goods deposited.**—Every warehouseman shall take such care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

13. **Precautions against damage or injury to goods.**—(1) Every warehouseman shall keep his warehouse clean and free from damp, take all necessary precautions against rats and other pests, and fulfil such other conditions as may be prescribed.

(2) No warehouseman shall accept goods for deposit which are likely to cause damage to other goods which are, or may be deposited in the warehouse.

14. **Preservation of identity of goods.**—Every warehouseman shall keep the goods of one depositor separate from the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times of the identification and delivery of the goods deposited:

Provided that where standardised and graded goods are stored in a warehouse then subject to any agreement between the warehouseman and a depositor, the same variety of goods belonging to different depositors may be pooled together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

15. **Goods deteriorating in warehouse and their disposal.**—(1) Whenever goods deposited in a warehouse deteriorate or are about to deteriorate from causes beyond the control of the warehouseman, he shall forthwith give notice of such deterioration to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

(2) If the depositor does not, within a reasonable time, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof and if such person requests in writing that intimation be given to him regarding the condition of the goods and agree to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

16. **Delivery of goods.**—(1) Every warehouseman, in the absence of reasonable excuse shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouseman.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

17. **Liability of warehouseman for shortage or excess in goods stored.**—(1) For the purposes of sub-sections (1) and (2) of the foregoing section and sub-section (1) of section 15, loss of weight or bulk by dryage or shrinkage within the prescribed limits and gain in weight by absorption of moisture within such limits shall not be deemed to amount to deterioration.

(2) If there is any excess in the goods stored in a warehouse by absorption of moisture or other causes, the warehouseman shall not be entitled thereto.

(3) If there is any shortage in the goods stored in a warehouse by dryage or other causes the warehouseman shall not be responsible therefor.

(4) In the event of a dispute arising as to whether such shortage or excess is due to dryage or absorption of moisture or is due to other causes beyond the

control of the warehouseman, the matter shall be referred to the appellate authority referred to in section 29 whose decision thereon shall be final and binding.

18. Insurance of goods in warehouse.—Goods in warehouses shall be insured against loss or damage by fire, or theft, or any other prescribed event, in such manner as may be prescribed.

19. Discrimination prohibited.—No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his warehouse:

Provided that the warehouseman shall show such preference to agricultural producers or Co-operative Societies of agricultural producers in Delhi and allow them such concessions as may be prescribed.

Explanation.—A "Co-operative Society of agricultural producers" shall mean a society in which the majority of members are agricultural producers or the predominant interest is held by agricultural producers. In case of doubt whether the Society is one of agricultural producers or not within the meaning of the proviso of this section, the matter shall be referred to the Registrar of Co-operative Societies and his decisions shall be final.

20. Warehouseman not to deal in or lend against goods in warehouse.—Notwithstanding anything contained in any other law for the time being in force no warehouseman other than a Co-operative Society or the Central or any State Warehousing Corporation set up under the Agricultural Produce (Development and Warehousing) Corporation Act, 1956 (Act 28 of 1956), shall, either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in its warehouse.

21. Accounts, etc., to be maintained.—A warehouseman shall maintain accounts, books and records in such form and manner as may be prescribed.

CHAPTER IV

INSPECTION AND GRADING OF GOODS

22. Inspection.—The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined, any licensed warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this Act and the rules are being complied with.

23. Weighers, samplers and graders to obtain licences.—(1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications, entitling them to act as weighers, samplers, and graders of any goods deposited or to be deposited in a licensed warehouse and to issue certificates as to the weight, bulk quality or grade of the goods which they have examined.

(2) Any certificate so issued shall, subject to the provisions of section 24 be binding on the warehouseman and the depositor as to the weight, bulk, quality or grade of the goods so certified.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

24. Provisions regarding such licences.—(1) Every licence granted to a weigher, sampler, or grader under section 23 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority.

(2) The prescribed authority may cancel any such licence, after communicating to the licensee the grounds on which it is proposed to take action and giving him a reasonable opportunity of showing cause against it.

(3) The prescribed authority may, however, suspend any such licence pending any action under sub-section (2).

(4) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or cancelling it, return the licence to the prescribed authority.

25. Facilities to be given for weighing goods, etc.—Every warehouseman, shall provide facilities for weighing, sampling and grading any goods deposited in his warehouse.

CHAPTER V

WAREHOUSE RECEIPTS

26. Receipt to be issued.—For the goods deposited in the warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form.

27. Receipts for deposits in warehouses.—The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle the lawful holder thereof to receive the goods specified on the same terms and conditions as the original depositor.

Explanation.—The provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act.

28. Duplicate receipt.—If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in rules prescribed for the purpose.

CHAPTER VI

MISCELLANEOUS

29. Appeals against certain orders of prescribed authority.—(1) An appeal against any order of the prescribed authority refusing to grant or renew a licence or suspending or cancelling any such licence in respect of a warehouseman shall be made to such authority and within such time as may be prescribed.

(2) The decision of such appellate authority shall be final.

30. No compensation for suspension or cancellation of licence.—Where any licence is suspended or cancelled under this Act, the licensee shall not be entitled to any compensation therefor, nor shall he be entitled to the refund of any fee paid by him for the licence.

31. Contracts and agreements inconsistent with Act to be void.—Every contract or agreement which is inconsistent with the provisions of this Act or the rules made thereunder, shall, to the extent of such inconsistency, be void.

32. Penalty and procedure.—(1) Whoever—

(a) acts, or holds himself out, as a licensed warehouseman without having obtained a licence under this Act; or

(b) knowingly contravenes or fails to comply with any of the provisions or requirements of this Act or the rules;

shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons, whether incorporated or not, the Manager, Secretary, Agent or other principal officer, managing the affairs of such company, association or body, shall be deemed to be guilty of such offence.

33. Rules.—(1) The Chief Commissioner may, by notification and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the matters expressly required or allowed by this Act to be prescribed;

(b) the conditions to be inserted in licences to be granted to warehouseman and the form of such licences;

(c) the publication of the grant, suspension or cancellation of licences to warehousemen and of consolidated lists of warehousemen and licensed warehouses;

- (d) the charges to be levied by warehousemen for their services;
- (e) the books, accounts and records to be maintained by warehouseman;
- (f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;
- (g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;
- (h) the disinfection of licensed warehouses and the disinfestation of goods stored therein;
- (i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;
- (j) the efficient conduct generally of the business of warehousemen;
- (k) the qualifications to be possessed by persons applying for the grant of licences as weighers, samplers or graders, the conditions to be inserted in their licences, the form of the certificates to be issued by them and the grounds for which the licences may be suspended or cancelled;
- (l) the standard weights, measures and gradations of goods to be used in licensed warehouses;
- (m) the authority to which and the time within which an appeal under section 29 should be made;
- (n) the manner of giving notices under this Act.

SCHEDULE

[See Section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides.

[No. F. 7/2/58-J.II.UTL-16.]

G.S.R. 105.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Himachal Pradesh the Orissa Warehouse Act, 1956 (Orissa Act 4 of 1957), as at present in force in the State of Orissa, subject to the following modifications, namely:—

Modifications

1. Save as hereinafter provided, throughout the Act, for the words "State Government", the words "Lieutenant Governor" shall be substituted.
2. In sub-section (2) of section 1, for the words "the State of Orissa", the words "Himachal Pradesh" shall be substituted.
3. In section 2—
 - (i) for clause (a), the following clause shall be substituted, namely:—
 "(a) "Co-operative Society" means a society registered or deemed to be registered under the Himachal Pradesh Co-operative Societies Act, 1956;"
 - (ii) for clause (d), the following clause shall be substituted, namely:—
 "(d) "Himachal Pradesh" means the Union territory of Himachal Pradesh;"

- (iii) after clause (e), the following clauses shall be inserted, namely:—
 “(e-1) “Lieutenant Governor” means the Lieutenant Governor of Himachal Pradesh;
 (e-2) “notification” means a notification in the Himachal Pradesh Gazette.”
4. In sub-section (2) of section 5, for the word “Government”, the words “Lieutenant Governor” shall be substituted.
5. The Explanation below section 15(1) shall be omitted.
6. In section 18, for the words “fire, rain, floods, theft, riot or civil commotion”, the words “fire or theft” shall be substituted.
7. In the proviso to section 19, for the words “the State”, the words “Himachal Pradesh” shall be substituted.
8. In section 33—
 (a) in sub-section (1), after the word “may”, the words “by notification and” shall be inserted;
 (b) in sub-section (2), the words “add any article to, or omit any article from, the Schedule or” shall be omitted.
9. For the Schedule, the following Schedule shall be substituted, namely:—

SCHEDULE
 [See section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Tobacco;
5. Hemp;
6. Forest products;
7. Raw materials and products of cottage industries;
8. Fertilisers and Agricultural Implements;
9. Herbal produce like Dhup, Karu and violet flowers;
10. Cloth, seeds, insecticides and pesticides;
11. Furniture, fixtures and building materials.”

ANNEXURE

THE ORISSA WAREHOUSE ACT, 1956, AS EXTENDED TO THE UNION
 TERRITORY OF HIMACHAL PRADESH

ORISSA ACT 4 OF 1957

THE ORISSA WAREHOUSE ACT, 1956

An Act to provide for the establishment and regulation of warehouses in the State of Orissa

Whereas it is expedient to encourage the establishment of licensed warehouses and make provision for their proper supervision and control;

It is hereby enacted by the Legislature of the State of Orissa in the Seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Orissa Warehouse Act, 1956.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force on such date as the Lieutenant Governor may, by notification, appoint in this behalf.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (a) "Co-operative Society" means a society registered or deemed to be registered under the Himachal Pradesh Co-operative Societies Act, 1956;
- (b) "Depositor" means a person who tenders his goods to the warehouseman for storing in his warehouse and includes any person who lawfully holds the receipt issued by the warehouseman in respect of such goods and derives title thereto by a proper endorsement or transfer thereof to him by the depositor or the depositor's lawful transferee;
- (c) "goods" means any of the articles specified in the Schedule to this Act: Provided that the Lieutenant Governor may, by notification add, to or omit any article from the Schedule;
- (d) "Himachal Pradesh" means the Union territory of Himachal Pradesh;
- (e) "licensed warehouse" means a warehouse licensed under this Act;
- (e-1) "Lieutenant Governor" means the Lieutenant Governor of Himachal Pradesh;
- (e-2) "notification" means a notification in the Himachal Pradesh Gazette;
- (f) "person" shall include any company or association or body corporate;
- (g) "prescribed" means prescribed by rules made under this Act;
- (h) "receipt" means a warehouse receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;
- (i) "warehouse" means any building, structure or other protected enclosure which is or may be used for the purpose of storing goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other public carriers and the like;
- (j) "warehouseman" means a person, who has obtained licence under this Act in respect of his warehouse.

CHAPTER II

LICENSING OF WAREHOUSES

3. Warehouseman.—No person shall carry on the business of a warehouseman except under licence granted under this Act and in accordance with such terms and conditions thereof as may, from time to time, be prescribed under this Act.

4. Grant of Licence.—(1) Application for a licence shall be made in the prescribed form to the prescribed authority.

(2) The prescribed authority may, on receiving such application and on payment of such fees as may be prescribed, grant a licence.

5. Conditions for licence.—(1) Before granting a licence, the prescribed authority shall satisfy itself—

- (a) that the warehouse is suitable for proper storage of the class or classes of goods in respect of which the licence has been applied for;
- (b) that the applicant is competent to conduct such a warehouse;
- (c) that the applicant has paid the fee prescribed for the licence and has also paid the prescribed security, if any; and
- (d) that there is no other valid reason for which the applicant for the licence may, in the opinion of the prescribed authority, be deemed to be disqualified.

(2) The Lieutenant Governor may, by notification, add to or alter the terms and conditions under which a licence is granted to a warehouseman under section 4.

6. Term and renewal of licence.—Every licence granted under section 4 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time by the prescribed authority and for such period as may be prescribed, provided the other conditions referred to in section 5 continue to be fulfilled.

7. Notice of refusal to grant or renew licence.—If the prescribed authority refuses to grant or renew a licence under the foregoing provisions, it shall record its reasons for such refusal in writing and communicate the order to the applicant by forwarding a copy thereof.

8. Suspension and cancellation of licence.—Every licence granted under section 4 or renewed under section 6 shall be liable to be suspended or cancelled by the prescribed authority, if in its opinion—

- (a) the licensee has applied to be adjudicated, or been adjudicated, an insolvent; or
- (b) has parted, in whole or in part, with his control over the warehouse; or
- (c) has ceased to conduct such warehouse; or
- (d) has made unreasonable charges for the services rendered by him; or
- (e) has in any other manner become incompetent to conduct such warehouse; or
- (f) has contravened or failed to comply with any of the terms and conditions of the licence or any of the provisions of this Act and the Rules; or
- (g) has contravened any other prescribed ground.

9. Notice of suspension and cancellation of licence.—(1) Before making an order of suspension or cancellation of licence under section 8, the prescribed authority shall give notice to the licensee stating the grounds on which it is proposed to take action to show cause as to why his licence shall not be suspended or cancelled within such date as may be specified in the said notice.

(2) After considering the explanation, if any, offered under sub-section (1), the prescribed authority may pass such final order as it deems fit.

(3) If any licence is suspended or cancelled; the prescribed authority shall make an entry to that effect in the licence.

10. Return of licence.—When a licence expires, or is suspended or cancelled the warehouseman shall cease to carry on the business of a warehouseman and shall return the licence to the prescribed authority, who shall give reasonable time to the warehouseman to enable him to wind up the business.

11. Duplicate licence.—(1) Where a licence granted to a warehouseman is lost, destroyed, torn, defaced or otherwise becomes illegible, the prescribed authority shall issue a duplicate licence on the application of the warehouseman and on payment of the prescribed fee.

(2) When a duplicate licence is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of issue of the duplicate and that of the original from the record of the office issuing the licence.

CHAPTER III

DUTIES OF A WAREHOUSEMAN

12. Reasonable care of the goods deposited.—Every warehouseman shall take such care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

13. Precautions against damage or injury to goods.—(1) Every warehouseman shall keep his warehouse clean and free from damp, take all necessary precautions against rats and other pests, and fulfil such other conditions as may be prescribed.

(2) No warehouseman shall accept goods for deposit which are likely to cause damage to other goods which are, or may be deposited in the warehouse.

14. Preservation of identity of goods.—Every warehouseman shall keep the goods of one depositor separate from the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times of the identification and delivery of the goods deposited:

Provided that where standardised and graded goods are stored in a warehouse then subject to any agreement between the warehouseman and a depositor,

the same variety of goods belonging to different depositors may be pooled together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

15. Goods deteriorating in warehouse and their disposal.—(1) Whenever goods deposited in a warehouse, deteriorate or are about to deteriorate from causes beyond the control of the warehouseman, he shall forthwith give notice of such deterioration to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

* * * * *

(2) If the depositor does not, within a reasonable time, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof and if such person requests in writing that intimation be given to him regarding the condition of the goods and agree to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

16. Delivery of goods.—(1) Every warehouseman, in the absence of reasonable excuse shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouseman.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

17. Liability of warehouseman for shortage or excess in goods stored.—(1) For the purposes of sub-sections (1) and (2) of the foregoing section and sub-section (1) of section 15, loss of weight or bulk by dryage or shrinkage within the prescribed limits and gain in weight by absorption of moisture within such limits shall not be deemed to amount to deterioration.

(2) If there is any excess in the goods stored in a warehouse by absorption of moisture or other causes, the warehouseman shall not be entitled thereto.

(3) If there is any shortage in the goods stored in a warehouse by dryage or other causes the warehouseman shall not be responsible therefor.

(4) In the event of a dispute arising as to whether such shortage or excess is due to dryage or absorption of moisture or is due to other causes beyond the control of the warehouseman, the matter shall be referred to the appellate authority referred to in section 29 whose decision thereon shall be final and binding.

18. Insurance of goods in warehouse.—Goods in warehouses shall be insured against loss or damage by fire, or theft, or any other prescribed event, in such manner as may be prescribed.

19. Discrimination prohibited.—No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his warehouse:

Provided that the warehouseman shall show such preference to agricultural producers or Co-operative Societies of agricultural producers in Himachal Pradesh and allow them such concessions as may be prescribed.

Explanation.—A “Co-operative Society of agricultural producers” shall mean a society in which the majority of members are agricultural producers or the predominant interest is held by agricultural producers. In case of doubt whether the Society is one of agricultural producers or not within the meaning of the proviso of this section, the matter shall be referred to the Registrar of Co-operative Societies and his decisions shall be final.

20. Warehouseman not to deal in or lend against goods in warehouse.—Notwithstanding anything contained in any other law for the time being in force no warehouseman other than a Co-operative Society or the Central or any State

Warehousing Corporation set up under the Agricultural Produce (Development and Warehousing) Corporation Act, 1956 (Act 28 of 1956), shall either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in its warehouse.

21. Accounts, etc., to be maintained.—A warehouseman shall maintain accounts, books and records in such form and manner as may be prescribed.

CHAPTER IV

INSPECTION AND GRADING OF GOODS

22. Inspection.—The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined, any licensed warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this Act and the rules are being complied with.

23. Weighers, samplers and graders to obtain licences.—(1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications, entitling them to act as weighers, samplers, and graders of any goods deposited or to be deposited in a licensed warehouse and to issue certificates as to the weight, bulk quality or grade of the goods which they have examined.

(2) Any certificate so issued shall, subject to the provisions of section 24 be binding on the warehouseman and the depositor as to the weight, bulk, quality or grade of the goods so certified.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

24. Provisions regarding such licences.—(1) Every licence granted to a weigher, sampler, or grader under section 23 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority.

(2) The prescribed authority may cancel any such licence, after communicating to the licensee the grounds on which it is proposed to take action and giving him a reasonable opportunity of showing cause against it.

(3) The prescribed authority may, however, suspend any such licence pending any action under sub-section (2).

(4) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or cancelling it, return the licence to the prescribed authority.

25. Facilities to be given for weighing goods, etc.—Every warehouseman, shall provide facilities for weighing, sampling and grading any goods deposited in his warehouse.

CHAPTER V

WAREHOUSE RECEIPTS

26. Receipt to be issued.—For the goods deposited in the warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form.

27. Receipts for deposits in warehouses.—The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle the lawful holder thereof to receive the goods specified on the same terms and conditions as the original depositor.

Explanation.—The provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act.

28. Duplicate receipt.—If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in rules prescribed for the purpose.

CHAPTER VI

MISCELLANEOUS

29. Appeals against certain orders of prescribed authority.—(1) An appeal against any order of the prescribed authority refusing to grant or renew a licence or suspending or cancelling any such licence in respect of a warehouseman shall be made to such authority and within such time as may be prescribed.

(2) The decision of such appellate authority shall be final.

30. No compensation for suspension or cancellation of licence.—Where any licence is suspended or cancelled under this Act, the licensee shall not be entitled to any compensation therefor, nor shall he be entitled to the refund of any fee paid by him for the licence.

31. Contracts and agreements inconsistent with Act to be void.—Every contract or agreement which is inconsistent with the provisions of this Act or the rules made thereunder, shall, to the extent of such inconsistency, be void.

32. Penalty and procedure.—(1) Whoever—

- (a) acts, or holds himself out, as a licensed warehouseman without having obtained a licence under this Act; or
- (b) knowingly contravenes or fails to comply with any of the provisions or requirements of this Act or the rules;

shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons, whether incorporated or not, the Manager, Secretary, Agent or other principal officer, managing the affairs of such company, association or body, shall be deemed to be guilty of such offence.

33. Rules.—(1) The Lieutenant Governor may, by notification and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the matters expressly required or allowed by this Act to be prescribed;
- (b) the conditions to be inserted in licences to be granted to warehouseman and the form of such licences;
- (c) the publication of the grant, suspension or cancellation of licences to warehouseman and of consolidated lists of warehouseman and licensed warehouses;
- (d) the charges to be levied by warehousemen for their services;
- (e) the books, accounts and records to be maintained by warehouseman;
- (f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;
- (g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;
- (h) the disinfection of licensed warehouses and the disinfestation of goods stored therein;
- (i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;
- (j) the efficient conduct generally of the business of warehousemen;
- (k) the qualifications to be possessed by persons applying for the grant of licences as weighers, samplers or graders, the conditions to be inserted in their licences, the form of the certificates to be issued by them and the grounds for which the licences may be suspended or cancelled;
- (l) the standard weights, measures and gradations of goods to be used in licensed warehouses;

- (m) the authority to which and the time within which an appeal under section 29 should be made;
- (n) the manner of giving notices under this Act.

"SCHEDULE

[See Section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Tobacco;
5. Hemp;
6. Forest products;
7. Raw materials and products of cottage industries;
8. Fertilisers and Agricultural Implements;
9. Herbal produce like Dhup, Karu and violet flowers;
10. Cloth, seeds, insecticides and pesticides;
11. Furniture, fixtures and building materials.

[No. F. 8/2/58-J-II-UTL.17.]

G.S.R. 106.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Manipur the Orissa Warehouse Act, 1956 (Orissa Act 4 of 1957), as at present in force in the State of Orissa, subject to the following modifications, namely:—

Modifications

1. Save as hereinafter provided, throughout the Act, for the words "State Government", the words "Chief Commissioner" shall be substituted.
2. In sub-section (2) of section 1, for the words "the State of Orissa" the word "Manipur" shall be substituted.
3. In section 2—
 - (1) for clause (a) the following clauses shall be substituted, namely:—
 - "(a) "Chief Commissioner" means the Chief Commissioner of Manipur;
 - (aa) "co-operative society" means a society registered or deemed to be registered under the Assam Co-operative Societies Act, 1949, as extended to the Union territory of Manipur;"
 - (2) for clauses (d) and (e), the following clauses shall be substituted, namely:—
 - "(d) "licensed warehouse" means a warehouse licensed under this Act;
 - (dd) "Manipur" means the Union territory of Manipur;
 - (e) "notification" means a notification in the Manipur Gazette;"
4. In sub-section (2) of section 5, for the word "Government", the words "Chief Commissioner" shall be substituted.
5. The Explanation to sub-section (1) of section 15 shall be omitted.
6. In section 18, for the words "fire, rain, floods, theft, riot or civil commotion", the words "fire or theft", shall be substituted.
7. In the proviso to section 19, for the words "the State", the word "Manipur" shall be substituted.
8. (1) In sub-section (1) of section 33, after the word "may", the words "by notification and" shall be inserted.

(2) In sub-section (2) of section 33, the words "add any article to, or omit any article from the Schedule or" shall be omitted.

9. For the Schedule, the following Schedule shall be substituted, namely:—

SCHEDULE

[See section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides;"

ANNEXURE

THE ORISSA WAREHOUSE ACT, 1956 AS EXTENDED TO THE UNION TERRITORY OF MANIPUR

ORISSA ACT 4 OF 1957

THE ORISSA WAREHOUSE ACT, 1956

An Act to provide for the establishment and regulation of warehouses in the State of Orissa.

Whereas it is expedient to encourage the establishment of licensed warehouses and make provision for their proper supervision and control;

It is hereby enacted by the Legislature of the State of Orissa in the Seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Orissa Warehouse Act, 1956.

(2) It extends to the whole of Manipur

(3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint in this behalf.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Chief Commissioner" means the Chief Commissioner of Manipur;

(aa) "Co-operative Society" means a society registered or deemed to be registered under the Assam Co-operative Societies Act, 1949 (Assam Act No. I of 1950) as extended to the Union territory of Manipur;

(b) "Depositor" means a person who tenders his goods to the Warehouseman for storing in his warehouse and includes any person who lawfully holds the receipt issued by the warehouseman in respect of such goods and derives title thereto by a proper endorsement or transfer thereof to him by the depositor or the depositor's lawful transferee;

(c) "goods" means any of the articles specified in the Schedule to this Act:

Provided that the Chief Commissioner may, by notification add, to or omit any article from the Schedule;

(d) "licensed warehouse" means a warehouse licensed under this Act;

(dd) "Manipur" means the Union territory of Manipur;

(e) "notification" means a notification in the Manipur Gazette;

- (f) "person" shall include any company or association or body corporate;
- (g) "prescribed" means prescribed by rules made under this Act;
- (h) "receipt" means a warehouse receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;
- (i) "warehouse" means any building, structure or other protected enclosure which is or may be used for the purpose of storing goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other public carriers and the like;
- (j) "warehouseman" means a person, who has obtained licence under this Act in respect of his warehouse.

CHAPTER II

LICENSING OF WAREHOUSES

3. Warehouseman.—No person shall carry on the business of a warehouseman except under licence granted under this Act and in accordance with such terms and conditions thereof as may, from time to time, be prescribed under this Act.

4. Grant of Licence.—(1) Application for a licence shall be made in the prescribed form to the prescribed authority.

(2) The prescribed authority may, on receiving such application and on payment of such fees as may be prescribed, grant a licence.

5. Conditions for licence.—(1) Before granting a licence, the prescribed authority shall satisfy itself—

- (a) that the warehouse is suitable for proper storage of the class or classes of goods in respect of which the licence has been applied for;
- (b) that the applicant is competent to conduct such a warehouse;
- (c) that the applicant has paid the fee prescribed for the licence and has also paid the prescribed security, if any; and
- (d) that there is no other valid reason for which the applicant for the licence may, in the opinion of the prescribed authority, be deemed to be disqualified.

(2) The Chief Commissioner may, by notification, add to or alter the terms and conditions under which a licence is granted to a warehouseman under section 4.

6. Terms and renewal of licence.—Every licence granted under section 4 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time by the prescribed authority and for such period as may be prescribed, provided the other conditions referred to in section 5 continue to be fulfilled.

7. Notice of refusal to grant or renew licence.—If the prescribed authority refuses to grant or renew a licence under the foregoing provisions, it shall record its reasons for such refusal in writing and communicate the order to the applicant by forwarding a copy thereof.

8. Suspension and cancellation of licence.—Every licence granted under section 4 or renewed under section 6 shall be liable to be suspended or cancelled by the prescribed authority, if in its opinion—

- (a) the licensee has applied to be adjudicated, or been adjudicated, an insolvent; or
- (b) has parted, in whole or in part, with his control over the warehouse; or
- (c) has ceased to conduct such warehouse; or
- (d) has made unreasonable charges for the services rendered by him; or
- (e) has in any other manner become incompetent to conduct such warehouse;
or
- (f) has contravened or failed to comply with any of the terms and conditions of the licence or any of the provisions of this Act and the Rules; or
- (g) has contravened any other prescribed ground.

9. Notice of suspension and cancellation of licence.—(1) Before making an order of suspension or cancellation of licence under section 8, the prescribed authority shall give notice to the licensee stating the grounds on which it is proposed to take action to show cause as to why his licence shall not be suspended or cancelled within such date as may be specified in the said notice.

(2) After considering the explanation, if any, offered under sub-section (1), the prescribed authority may pass such final order as it deems fit.

(3) If any licence is suspended or cancelled; the prescribed authority shall make an entry to that effect in the licence.

10. Return of Licence.—When a licence expires, or is suspended or cancelled the warehouseman shall cease to carry on the business of a warehouseman and shall return the licence to the prescribed authority, who shall give reasonable time to the warehouseman to enable him to wind up the business.

11. Duplicate licence.—(1) Where a licence granted to a warehouseman is lost, destroyed, torn, defaced or otherwise becomes illegible, the prescribed authority shall issue a duplicate licence on the application of the warehouseman and on payment of the prescribed fee.

(2) When a duplicate licence is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of issue of the duplicate and that of the original from the record of the office issuing the licence.

CHAPTER III

DUTIES OF A WAREHOUSEMAN

12. Reasonable care of the goods deposited.—Every warehouseman shall take such care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

13. Precautions against damage or injury to goods.—(1) Every warehouseman shall keep his warehouse clean and free from damp, take all necessary precautions against rats and other pests, and fulfil such other conditions as may be prescribed.

(2) No warehouseman shall accept goods for deposit which are likely to cause damage to other goods which are, or may be deposited in the warehouse.

14. Preservation of identity of goods.—Every warehouseman shall keep the goods of one depositor separate from the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times of the identification and delivery of the goods deposited:

Provided that where standardised and graded goods are stored in a warehouse then subject to any agreement between the warehouseman and a depositor, the same variety of goods belonging to different depositors may be pooled together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

15. Goods deteriorating in warehouse and their disposal.—(1) Whenever goods deposited in a warehouse deteriorate or are about to deteriorate from causes beyond the control of the warehouseman, he shall forthwith give notice of such deterioration to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

(2) If the depositor does not, within a reasonable time, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof and if such person requests in writing that intimation be given to him regarding the condition of the goods and agree to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

16. Delivery of goods.—(1) Every warehouseman, in the absence of reasonable excuse shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouseman.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

17. Liability of warehouseman for storage or excess in goods stored.—(1) For the purposes of sub-sections (1) and (2) of the foregoing section and sub-section (1) of section 15, loss of weight or bulk by dryage or shrinkage within the prescribed limits and gain in weight by absorption of moisture within such limits shall not be deemed to amount to deterioration.

(2) If there is any excess in the goods stored in a warehouse by absorption of moisture or other causes, the warehouseman shall not be entitled thereto.

(3) If there is any shortage in the goods stored in a warehouse by dryage or other causes the warehouseman shall not be responsible therefor.

(4) In the event of a dispute arising as to whether such shortage or excess is due to other dryage or absorption of moisture or is due to other causes beyond the control of the warehouseman, the matter shall be referred to the appellate authority referred to in section 29 whose decision thereon shall be final and binding.

18. Insurance of goods in warehouse.—Goods in warehouses shall be insured against loss or damage by fire, or theft, or any other prescribed event, in such manner as may be prescribed.

19. Discrimination prohibited.—No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his warehouse:

Provided that the warehouseman shall show such preference to agricultural producers or Co-operative Societies of agricultural producers in Manipur and allow them such concessions as may be prescribed.

Explanation.—A "Co-operative Society of agricultural producers" shall mean a society in which the majority of members are agricultural producers or the predominant interest is held by agricultural producers. In case of doubt whether the Society is one of agricultural producers or not within the meaning of the proviso of this section the matter shall be referred to the Registrar of Co-operative Societies and his decisions shall be final.

20. Warehouseman not to deal in or lend against goods in warehouse.—Notwithstanding anything contained in any other law for the time being in force no warehouseman other than a Co-operative Society or the Central or any State Warehousing Corporation set up under the Agricultural Produce (Development and Warehousing) Corporation Act, 1956, (Act 28 of 1956) shall, either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in its warehouse.

21. Accounts, etc., to be maintained.—A warehouseman shall maintain accounts, books and records in such form and manner as may be prescribed.

CHAPTER IV

INSPECTING AND GRADING OF GOODS

22. Inspection.—The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined, any licenced warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this Act and the rules are being complied with.

23. Weighers, samplers, and graders to obtain licences.—(1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications, entitling them to act as weighers, samplers, and graders of any goods deposited or to be deposited in a licenced warehouse and to issue certificates as to the weight, bulk quality or grade of the goods which they have examined.

(2) Any certificate so issued shall, subject to the provisions of sections 24 be binding on the warehouseman and the depositor as to the weight, bulk, quality or grade of the goods so certified.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

24. Provisions regarding such licences.—(1) Every licence granted to a weigher, sampler, or grader under section 23 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority.

(2) The prescribed authority may cancel any such licence, after communicating to the licensee the grounds on which it is proposed to take action and giving him a reasonable opportunity of showing cause against it.

(3) The prescribed authority may, however, suspend any such licence pending any action under sub-section (2).

(4) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or cancelling it, return the licence to the prescribed authority.

25. Facilities to be given for weighing goods, etc.—Every warehouseman, shall provide facilities for weighing, sampling and grading any goods deposited in his warehouse.

CHAPTER V

WAREHOUSE RECEIPTS

26. Receipt to be issued.—For the goods deposited in the warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form.

27. Receipts for deposits in warehouses.—The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle the lawful holder thereof to receive the goods specified in on the same terms and conditions as the original depositor.

Explanation.—The provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act.

28. Duplicate receipt.—If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in rules prescribed for the purpose.

CHAPTER VI

MISCELLANEOUS

29. Appeals against certain orders of prescribed authority.—(1) An appeal against any order of the prescribed authority refusing to grant or renew a licence or suspending or cancelling any such licence in respect of a warehouseman shall be made to such authority and within such time as may be prescribed.

(2) The decision of such appellate authority shall be final.

30. No compensation for suspension or cancellation of licence.—Where any licence is suspended or cancelled under this Act, the licensee shall not be entitled to any compensation therefor, nor shall he be entitled to the refund of any fee paid by him for the licence.

31. Contracts and agreements inconsistent with Act to be void.—Every contract or agreement which is inconsistent with the provisions of this Act or the rules made thereunder, shall, to the extent of such inconsistency, be void.

32. Penalty and procedure.—(1) Whoever—

(a) acts, or holds himself out, as a licensed warehouseman without having obtained a licence under this Act; or

- (b) knowingly contravenes or fails to comply with any of the provisions or requirements of this Act or the rules;

shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both

(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons, whether incorporated or not, the Manager, Secretary, Agent or other principal officer, managing the affairs of such company, association or body, shall be deemed to be guilty of such offence.

33 Rules.—(1) The Chief Commissioner may by notification and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the matters expressly required or allowed by this Act to be prescribed;
- (b) the conditions to be inserted in licences to be granted to warehouseman and the form of such licences;
- (c) the publication of the grant, suspension or cancellation of licences to warehousemen and of consolidated lists of warehousemen and licensed warehouses;
- (d) the charges to be levied by warehousemen for their services;
- (e) the books, accounts and records to be maintained by warehouseman;
- (f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;
- (g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;
- (h) the disinfection of licensed warehouses and the disinfection of goods stored therein;
- (i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;
- (j) the efficient conduct generally of the business of warehousemen;
- (k) the qualifications to be possessed by persons applying for the grant of licences as weighers, samplers or graders, the conditions to be inserted in their licences, the form of the certificates to be issued by them and the grounds for which the licences may be suspended or cancelled;
- (l) the standard weights, measures and gradations of goods to be used in licensed warehouses;
- (m) the authority to which and the time within which an appeal under section 29 should be made;
- (n) the manner of giving notices under this Act

SCHEDULE

[See Section 2(c)]

1. Food stuffs including condiments, dairy products and edible oilseeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides.

G.S.R. 107.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Tripura the Orissa Warehouse Act, 1956 (Orissa Act 4 of 1957), as at present in force in the State of Orissa, subject to the following modifications, namely:—

Modifications

1. Save as hereinafter provided, throughout the Act, for the words "State Government", the words "Chief Commissioner" shall be substituted.

2. In sub-section (2) of section 1, for the words "the State of Orissa", the word "Tripura" shall be substituted.

3. In section 2—

(i) for clause (a), the following clauses shall be substituted, namely:—

"(a) "Chief Commissioner" means the Chief Commissioner of Tripura";

(aa) "Co-operative Society" means a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, as extended to Tripura.

(ii) for clauses (d) and (e), the following clauses shall be substituted, namely:—

"(d) "licensed warehouse" means a warehouse licensed under this Act;

(e) "notification" means a notification in the Tripura Gazette;";

(iii) after clause (h), the following clause shall be inserted, namely:—

"(hh) "Tripura" means the Union territory of Tripura;".

4. In sub-section (2) of section 5, for the words "Government", the words "Chief Commissioner" shall be substituted.

5. The Explanation below section 15(1) shall be omitted.

6. In section 18, for the words "fire, rain, floods, theft, riot or civil commotion" the words "fire or theft" shall be substituted.

7. In the proviso to section 19, for the words "the State", the word "Tripura" shall be substituted.

8. In section 33—

(a) in sub-section (1), after the word "may", the words "by notification and" shall be inserted.

(b) in sub-section (2), the words "add any article to or omit any article from the Schedule or" shall be omitted.

9. For the Schedule, the following Schedule shall be substituted, namely:—

"SCHEDULE

[See section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides."

ANNEXURE

THE ORISSA WAREHOUSE ACT, 1956 AS EXTENDED TO THE UNION
TERRITORY OF TRIPURA

ORISSA ACT 4 OF 1957

THE ORISSA WAREHOUSE ACT, 1956

An Act to provide for the establishment and regulation of warehouses in the State of Orissa.

Whereas it is expedient to encourage the establishment of licensed warehouses and make provision for their proper supervision and control;

It is hereby enacted by the Legislature of the State of Orissa in the Seventh Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. **Short title, extent and commencement.**—(1) This Act may be called the Orissa Warehouse Act, 1956.

(2) It extends to the whole of Tripura.

(3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint in this behalf.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Chief Commissioner" means the Chief Commissioner of Tripura;

(aa) "Co-operative Society" means a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, as extended to Tripura;

(b) "Depositor" means a person who tenders his goods to the warehouseman for storing in his warehouse and includes any person who lawfully holds the receipt issued by the warehouseman in respect of such goods and derives title thereto by a proper endorsement or transfer thereof to him by the depositor or the depositor's lawful transferee;

(c) "goods" means any of the articles specified in the Schedule to this Act:

Provided that the Chief Commissioner may, by notification add, to or omit any article from the Schedule;

(d) "licensed warehouse" means a warehouse licensed under this Act;

(e) "notification" means a notification in the Tripura Gazette;

(f) "person" shall include any company or association or body corporate;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "receipt" means a warehouse receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;

(hh) "Tripura" means the Union territory of Tripura;

(i) "warehouse" means any building, structure or other protected enclosure which is or may be used for the purpose of storing goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other public carriers and the like;

(j) "warehouseman" means a person, who has obtained licence under this Act in respect of his warehouse.

CHAPTER II

Licensing of Warehouses

3. **Warehouseman.**—No person shall carry on the business of a warehouseman except under licence granted under this Act and in accordance with such terms and conditions thereof as may, from time to time, be prescribed under this Act.

4. **Grant of Licence.**—(1) Application for a licence shall be made in the prescribed form to the prescribed authority.

(2) The prescribed authority may, on receiving such application and on payment of such fees as may be prescribed, grant a licence.

5. Conditions for licence.—(1) Before granting a licence the prescribed authority shall satisfy itself—

- (a) that the warehouse is suitable for proper storage of the class or classes of goods in respect of which the licence has been applied for;
- (b) that the applicant is competent to conduct such warehouse;
- (c) that the applicant has paid the fee prescribed for the licence and has also paid the prescribed security, if any; and
- (d) that there is no other valid reason for which the applicant for the licence may, in the opinion of the prescribed authority, be deemed to be disqualified.

(2) The Chief Commissioner may, by notification, add to or alter the terms and conditions under which a licence is granted to a warehouseman under section 4.

6. Term and renewal of licence.—Every licence granted under section 4 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time by the prescribed authority and for such period as may be prescribed, provided the other conditions referred to in section 5 continue to be fulfilled.

7. Notice of refusal to grant or renew licence.—If the prescribed authority refuses to grant or renew a licence under the foregoing provisions, it shall record its reasons for such refusal in writing and communicate the order to the applicant by forwarding a copy thereof.

8. Suspension and cancellation of licence.—Every licence granted under section 4 or renewed under section 6 shall be liable to be suspended or cancelled by the prescribed authority, if in its opinion—

- (a) the licensee has applied to be adjudicated, or been adjudicated, an insolvent; or
- (b) has parted, in whole or in part, with his control over the warehouse; or
- (c) has ceased to conduct such warehouse; or
- (d) has made unreasonable charges for the services rendered by him; or
- (e) has in any other manner become incompetent to conduct such warehouse; or
- (f) has contravened or failed to comply with any of the terms and conditions of the licence or any of the provisions of this Act and the Rules; or
- (g) has contravened any other prescribed ground.

9. Notice of suspension and cancellation of licence.—(1) Before making an order of suspension or cancellation of licence under section 8, the prescribed authority shall give notice to the licensee stating the grounds on which it is proposed to take action to show cause as to why his licence shall not be suspended or cancelled within such date as may be specified in the said notice.

(2) After considering the explanation, if any, offered under sub-section (1), the prescribed authority may pass such final order as it deems fit.

(3) If any licence is suspended or cancelled; the prescribed authority shall make an entry to that effect in the licence.

10. Return of licence.—When a licence expires, or is suspended or cancelled the warehouseman shall cease to carry on the business of a warehouseman and shall return the licence to the prescribed authority, who shall give reasonable time to the warehouseman to enable him to wind up the business.

11. Duplicate licence.—(1) Where a licence granted to a warehouseman is lost, destroyed, torn, defaced or otherwise becomes illegible, the prescribed authority shall issue a duplicate licence on the application of the warehouseman and on payment of the prescribed fee.

(2) When a duplicate licence is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of issue of the duplicate and that of the original from the record of the office issuing the licence.

CHAPTER III

DUTIES OF A WAREHOUSEMAN

12. Reasonable care of the goods deposited.—Every warehouseman shall take such care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

13. Precautions against damage or injury to goods.—(1) Every warehouseman shall keep his warehouse clean and free from damp, take all necessary precautions against rats and other pests, and fulfill such other conditions as may be prescribed.

(2) No warehouseman shall accept goods for deposit which are likely to cause damage to other goods which are, or may be deposited in the warehouse.

14. Preservation of identity of goods.—Every warehouseman shall keep the goods of one depositor separate from the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times of the identification and delivery of the goods deposited:

Provided that where standardised and graded goods are stored in a warehouse then subject to any agreement between the warehouseman and a depositor, the same variety of goods belonging to different depositors may be pooled together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

15. Goods deteriorating in warehouse and their disposal.—(1) Whenever goods deposited in a warehouse, deteriorate or are about to deteriorate from causes beyond the control of the warehouseman, he shall forthwith give notice of such deterioration to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

(2) If the depositor does not, within a reasonable time, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof and if such person requests in writing that intimation be given to him regarding the condition of the goods and agree to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

16. Delivery of goods.—(1) Every warehouseman, in the absence of reasonable excuse shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouseman.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

17. Liability of warehouseman for shortage or excess in goods stored.—(1) For the purposes of sub-sections (1) and (2) of the foregoing section and sub-section (1) of section 15, loss of weight or bulk by dryage or shrinkage within the prescribed limits and gain in weight by absorption of moisture within such limits shall not be deemed to amount to deterioration.

(2) If there is any excess in the goods stored in a warehouse by absorption of moisture or other causes, the warehouseman shall not be entitled thereto.

(3) If there is any shortage in the goods stored in a warehouse by dryage or other causes the warehouseman shall not be responsible therefor.

(4) In the event of a dispute arising as to whether such shortage or excess is due to dryage or absorption of moisture or is due to other causes beyond the control of the warehouseman, the matter shall be referred to the appellate authority referred to in section 29 whose decision thereon shall be final and binding.

18. Insurance of goods in warehouse.—Goods in warehouses shall be insured against loss or damage by fire or theft, or any other prescribed event, in such manner as may be prescribed.

19. Discrimination prohibited.—No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his warehouse:

Provided that the warehouseman shall show such preference to agricultural producers or Co-operative Societies of agricultural producers in Tripura and allow them such concessions as may be prescribed.

Explanation—A “Co-operative Society of agricultural producers” shall mean a society in which the majority of members are agricultural producers or the predominant interest is held by agricultural producers. In case of doubt whether the Society is one of agricultural producers or not within the meaning of the proviso of this section, the matter shall be referred to the Registrar of Co-operative Societies and his decisions shall be final.

20. Warehouseman not to deal in or lend against goods in warehouse.—Notwithstanding anything contained in any other law for the time being in force no warehouseman other than a Co-operative Society or the Central or any State Warehousing Corporation set up under the Agricultural Produce (Development and Warehousing) Corporation Act, 1956, (Act 28 of 1956) shall, either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in its warehouse.

21. Accounts, etc., to be maintained.—A warehouseman shall maintain accounts, books and records in such form and manner as may be prescribed.

CHAPTER IV

INSPECTION AND GRADING OF GOODS

22. Inspection.—The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined, any licensed warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this Act and the rules are being complied with.

23. Weighers, samplers and graders to obtain licences.—(1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications, entitling them to act as weighers, samplers, and graders of any goods deposited or to be deposited in a licensed warehouse and to issue certificates as to the weight, bulk quality or grade of the goods which they have examined.

(2) Any certificate so issued shall, subject to the provisions of section 24 be binding on the warehouseman and the depositor as to the weight, bulk, quality or grade of the goods so certified.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

24. Provisions regarding such licences.—(1) Every licence granted to a weigher, sampler, or grader under section 23 shall be valid for such period as may be prescribed and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority.

(2) The prescribed authority may cancel any such licence, after communicating to the licensee the grounds on which it is proposed to take action and giving him a reasonable opportunity of showing cause against it.

(3) The prescribed authority may, however, suspend any such licence pending any action under sub-section (2).

(4) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or cancelling it, return the licence to the prescribed authority.

25. Facilities to be given for weighing goods, etc.—Every warehouseman, shall provide facilities for weighing, sampling and grading any goods deposited in his warehouse.

CHAPTER V

WAREHOUSE RECEIPTS

26. Receipt to be issued.—For the goods deposited in the warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form.

27. Receipts for deposits in warehouses.—The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle the lawful holder thereof to receive the goods specified on the same terms and conditions as the original depositor.

Explanation.—The provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act.

28. Duplicate receipt.—If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in rules prescribed for the purpose.

CHAPTER VI

MISCELLANEOUS

29. Appeals against certain orders of prescribed authority.—(1) An appeal against any order of the prescribed authority refusing to grant or renew licence or suspending or cancelling any such licence in respect of a warehouseman shall be made to such authority and within such time as may be prescribed.

(2) The decision of such appellate authority shall be final.

30. No compensation for suspension or cancellation of licence.—Where any licence is suspended or cancelled under this Act, the licensee shall not be entitled to any compensation therefor, nor shall he be entitled to the refund of any fee paid by him for the licence.

31. Contracts and agreements inconsistent with Act to be void.—Every contract or agreement which is inconsistent with the provisions of this Act or the rules made thereunder, shall, to the extent of such inconsistency, be void.

32. Penalty and procedure.—(1) Whoever—

- (a) acts, or holds himself out, as a licensed warehouseman without having obtained a licence under this Act; or
- (b) knowingly contravenes or fails to comply with any of the provisions or requirements of this Act or the rules;

shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons, whether incorporated or not, the Manager, Secretary, Agent or other principal officer, managing the affairs of such company, association or body, shall be deemed to be guilty of such offence.

33. Rules.—(1) The Chief Commissioner may by notification and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the matters expressly required or allowed by this Act to be prescribed;
- (b) the conditions to be inserted in licences to be granted to warehouseman and the form of such licences;
- (c) the publication of the grant, suspension or cancellation of licences to warehousemen and of consolidated lists of warehousemen and licensed warehouses;
- (d) the charges to be levied by warehousemen for their services;
- (e) the books, accounts and records to be maintained by warehouseman;

- (f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;
- (g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;
- (h) the disinfection of licensed warehouses and the disinfestation of goods stored therein;
- (i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;
- (j) the efficient conduct generally of the business of warehousemen;
- (k) the qualifications to be possessed by persons apply for the grant of licences as weighers, samplers or graders, the conditions to be inserted in their licences, the form of the certificates to be issued by them and the grounds for which the licences may be suspended or cancelled;
- (l) the standard weights, measures and gradations of goods to be used in licensed warehouses;
- (m) the authority to which and the time within which an appeal under section 29 should be made;
- (n) the manner of giving notices under this Act.

SCHEDULE

[See Section 2(c)]

1. Food stuffs including condiments, dairy products and edible oil seeds;
2. Cotton, ginned or unginned and cotton seeds;
3. Cattle fodder including oil cakes and other concentrates;
4. Jute;
5. Tobacco;
6. Hemp;
7. Forest products;
8. Raw materials and products of cottage industries;
9. Fertilisers and Agricultural Implements;
10. Cloth, seeds, insecticides and pesticides.

[No. F. 10/3/58-JudLII.U.L.T. 19:]

K. R. PRABHU, Dy. Secy.

New Delhi, the 25th January 1960

G.S.R. 108.—In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. 6/131/59-F.I., dated the 14th November, 1959, the Central Government hereby authorises the Under Secretary to the Government of West Bengal in the Home (Passport) Department also to grant the permission referred to in that notification.

[No. 6/131/59-F.I.]

G.S.R. 109.—In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (31 of 1946) the Central Government hereby directs that, notwithstanding anything contained in the Foreigners (Exemption) Order, 1957, no foreigner shall enter or leave the Kalimpong sub-division except by the road passing through the checkpoint at Teesta Bridge and the checkpoint staff may examine any such foreigner who seeks leave to enter or to depart from the Kalimpong sub-division, for the purposes of the Foreigners Act, 1946, or of any order made thereunder and it shall be the duty of every such foreigner to furnish to the checkpoint staff such information in such manner and at such times as they may require.

[No. 6/131/59-F.I.]

FATEH SINGH, Jt. Secy.

CABINET SECRETARIAT**(Estt. Section)***New Delhi-4, the 19th January 1960*

G.S.R. 110.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to certain General Central Service Class II and Class III posts in the Central Statistical Organisation, namely:—

1. These rules may be called the General Central Service (Class II and Class III posts in the Central Statistical Organisation) Recruitment Rules, 1960.

2. These rules shall apply for recruitment to the posts specified in column 1 of the Schedule to these Rules, and the present number of posts, the classification of the posts and the scale of pay shall be as specified in columns 2 to 4 of the said Schedule.

3. The age limits and the qualifications for recruitment to the posts aforesaid, the method of recruitment and other matters relating thereto shall be as specified in columns 5 to 13 of the Schedule aforesaid.

SCHEDULE

Name of post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. promotion/transfer grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
I. Senior Investigator.	37	Class II (non-gazetted) (Non-ministerial).	Rs. 275-25-500.	Selection.	*Below 30 years.	Essential :— (i). At least 2nd Class degree of a recognised University in Commerce with Statistics as a subject. OR At least 2nd Class degree of a recognised University with Economics or Statistics or Mathematics as a special subject. (ii). At least two years' experience in the collection, compilation and interpretation of Statistics in a Government office	N.A.	Two years.	75% by direct recruitment & 25% by departmental promotion.	Junior Investigators who have put in a minimum of 2 years service in this grade.	Class II D.P.C.	As required under the rules.

or technical institution of business house.

(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.)

Desirable :-

(a) Adequate knowledge of principal sources of official statistics.

(b) Post-graduate training in a recognised statistical institute or evidence of research in statistics.

2. Senior Investigator (Hindi).	One	Class II (Non-gazetted) (Non-ministerial).	Rs. 275-25-500.	N.A.	*Below 30 years	<i>Essential :-</i>	Does not arise.	Two years.	By direct rectt.	Does not arise.	Does not arise.	For direct recruitment.
						(i) At least a second class degree with Hindi as main subject and Mathematics / Statistics / Commerce / Economics and English as other subjects of study.						
						(ii) At least 2 years experience in translating original English Texts into Hindi, either in a technical office or in a journal of repute.						

1	2	3	4	5	6	7	8	9	10	11	12	13
						(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.) <i>Desirable:—</i> (i) Master's degree in Hindi of a recognised University or equivalent. (ii) Post-graduate training in a recognised Statistical Institute or evidence of Research in Statistics. (iii) Experience in the collection, compilation and interpretation of Statistics in a Government Office or Technical Institute or Business House.						
3. Librarian.	1	Class II (Non-gazetted) (Non-Ministerial).	Rs. 275-25-500.	N.A.	*Below 35 years.	<i>Essential :—</i> (i) A degree of a recognised University. (ii) Diploma / degree in Library science from a recognised Institution/ University. (iii) About three years' experience in responsible capacity in a library of standing.	N.A.	Two years.	By direct recruitment.	N.A.	Does not arise.	For direct recruitment.

4. Junior investigator.	10	Class III (Non-gazetted) (Non-ministerial).	Rs.160-10-330. Selection post.	*Below 25 years.	(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.) <i>Desirable</i> :— Working knowledge of Hindi.	No	Two years.	75% by recruitment through Employment Exchange or transfer & 25% by departmental promotion.	Computers who have put in a minimum of two years service in this grade (or in any higher grade).	Yes.	No.
					<i>Essential</i> :— At least a Second Class Bachelor's degree in Economics, Statistics, Mathematics or Commerce.						
					(Qualifications relaxable at the discretion of the appointing authority in case of promotees otherwise considered suitable.) <i>Desirable</i> :— Training in a recognised Statistical Institute.						
					OR Experience in the compilation and Interpretation of Statistics in a Government Department or a reputed business firm.						
					OR Research in Statistics.						

...RE: No male candidate who has more than one wife living or no female candidate who has married a person having already a wife living shall be eligible for appointment ; provided that the Government of India may after being satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

*Relaxable for Scheduled Castes/Tribes displaced persons and other categories in accordance with the instructions issued by the Ministry of Home Affairs from time to time and for Government servants.

[No. 2/5/58-Estt.]
M. V. NILAKANTA AYYAR, Under Secy.

MINISTRY OF STEEL, MINES AND FUEL**(Department of Iron and Steel)***New Delhi, the 21st January 1960*

G.S.R. 111.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment, and certain conditions of service of persons appointed, to the posts of Despatch Rider and Staff Car Driver in the Department of Iron and Steel namely:—

**THE DEPARTMENT OF IRON AND STEEL (DESPATCH RIDER AND STAFF
CAR DRIVER) RECRUITMENT RULES 1959.**

1. **Short title.**—These rules may be called the Department of Iron and Steel (Despatch Rider and Staff Car Driver) Recruitment Rules, 1959.

2. **Scales of pay etc.**—The name, number and classification of the posts and the scales of pay attached to them shall be as specified in columns 1 to 4 of the Schedule to these rules.

3. **Qualifications, method of recruitment etc.**—The qualifications, age-limit, method of recruitment to the posts aforesaid and other matters relating thereto shall be as specified in columns 5 to 8 of the said Schedule.

SCHEDULE
(See Rules 2{and 3})

Name of post	No. of post	Classification]	Scale of pay	Age limit for direct recruits	Educational and other qualifications required	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer and percentage of the vacancies to be filled by various methods
1	2	3	4	5	6	7	8
Despatch Rider	2 (two)	Class III—Non-Ministerial Non-Gazetted.	Rs. 50—2—60—5/2—65	25 years relaxable for Scheduled Castes/Tribes, Displaced persons and other categories in accordance with Govt. orders issued from time to time.	A Pass in the Middle School Standard in English or Hindi desirable but not essential ; should hold a driving licence.	Three months.	Preference will be given to Class IV of the department who are otherwise eligible for appointment to the post ; if not by direct recruitment through Employment Exchange. The quota allotted to the Scheduled Castes and Tribes will be strictly given to them. If the quota cannot be filled by recruitment from among the Class IV Staff in the Department member of the Scheduled Castes/Tribes will be recruited from the Employment Exchange to make up their quota.
Staff Car Driver	2 (two)	Class III—Non-Ministerial Non-Gazetted.	Rs. 60—5/2—75	25 years relaxable for Scheduled Castes/Tribes, Displaced persons and other categories in accordance with Govt. orders issued from time to time.	Must possess working knowledge of English or Hindi and a qualifying licence for driving Cars with at least 3 Years' experience in driving. Desirable : A pass in middle school standard.	Six months.	Preference will be given to Class IV of the department who are otherwise eligible for appointment to the post if not, by direct recruitment through Employment Exchange. The quota allotted to the Scheduled Castes and Tribes will be strictly given to them. If the quota cannot

1	2	3	4	5	6	7	8
							be filled by recruitment from among the Class IV Staff in the Department members of the Scheduled Castes/Tribes will be recruited from the Employment Exchange to make up their quota.

NOTE :—No male candidate who has more than one wife living or no female candidate who has married a person having already a wife living shall be eligible for appointment provided that the Govt. of India after being satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

4. Disqualification.—No person not being a Government servant who has more than one wife living or marrying a person having a wife living shall be eligible for appointment to any post referred to in rule 2;

Provided that the Central Government may, in any exceptional case and for reasons to be recorded in writing, exempt any person from the operation of this rule.

[No. EST(7)-12/58.]

H. S. GILL, Under Secy.

MINISTRY OF FINANCE
(Department of Revenue)

MEDICINAL AND TOILET PREPARATIONS

New Delhi, the 23rd January 1960

G.S.R. 112.—In exercise of the powers conferred by section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955), the Central Government hereby makes the following further amendments in the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, namely:—

In the Schedule to the said Rules, the entries "B.I. Elixir B-Complex" and "Bi Vita B" appearing under the heading "Non-Pharmacopoeial Preparations", sub-heading "MEDICINAL PREPARATIONS", shall be omitted.

[No. 1 F. 45/5(2)/58-Opium.]

N. C. DASS, Dy. Secy.

MINISTRY OF HEALTH

New Delhi, the 18th January 1960

G.S.R. 113.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to certain Class III and Class IV posts at the Malaria Institute of India, Delhi, namely:—

1. **Short title.**—These rules may be called the Malaria Institute of India (Recruitment to Class III and Class IV posts) Rules, 1959.

2. **Application.**—These rules shall apply for recruitment to the posts specified in column 2 of the Schedule annexed hereto.

3. **Number, classification and scale of pay.**—The classification of the posts, the scales of pay attached to them and the number of the said posts shall be as specified in columns 3 to 5 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 6 to 15 of the Schedule aforesaid:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of scheduled caste/tribes, displaced person and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment to any of these posts:

Provided that the Government of India, may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

SCHED

Draft Recruitment Rules for Class III and IV

Sl. No.	Name of the post	Its classification whether gazetted or non-gazetted & whether Ministerial or non-ministerial	Scale of pay	Number of post	Percentage of Posts to be filled by			Transfer
					Promotion/ by selection	by seniority-cum-fitness	Direct recruitment	
1	2	3	4	5	6	7	8	9
			Rs.					
1	Superintendent.	Class III non-Gazetted Ministerial selection post.	250—15—400.	4	100%	..	..
2	Accountant S.A.S.	Class III non-gazetted ministerial.	200—15—380—20—500	3	..	..	..	By transfer on deputation from the office of the Comptroller & Auditor General ; the Accountant General Central Revenues, or Controller of Defence Accounts.
3	Stores Superintendent.	Class III non-Gazetted Ministerial Selection post.	200—10—300	1	100%	..	..
4	Steno to Director.	Class III non-gazetted Ministerial non-selection post.	200—10—250	2	..	100%	..	..

DULE

Staff of the Malaria Institute of India, Delhi

Fr direct recruitment only		Period	For promotion transfer only		Composition	Remarks
Age limit	Educational and other qualifications required	probation if any	Whether age and other educational qualifications prescribed for direct recruitment will apply in case of apptt. by promotion/transfer	Grades/sources from which promotion/transfers are to be made	of Departmental promotion Committee	
10	11	12	13	14	15	16
35 years	(i) Graduate (ii) Experience in office work and administration for 5 years.	Two years.	Will not apply in case of departmental candidates.	Promotion by selection only from stores subdt. Stenos to Director and Head Clerk failing which by direct recruitment.	Dy. Directors—3, Asstt. Director—1, Admn. Officers—3 subject to the approval of Director.	
25 years	SAS Accountant or qualified acctt. from the Military Deptt. preferably the former.	..	..	By transfer on deputation from the office of the Comptroller & Auditor General; Accountant General, Central Revenues, or Controller of Defence Accounts.	Do.	
25 years	(i) Graduates (ii) Adequate Stores experience in a supervisory capacity.]	Two years	Will not apply in case of departmental candidates.	Promotion by selection out of Stenos to Director and Head Clerks failing which by direct recruitment.	Do.	
25 years	(i) Matric (ii) Adequate experience in stenography (iii) Speed about 120 w. p.m. in short hand & 50 w. p.m. in type-writing.	Do.	Do.	By promotion out of Stenographers.	Do.	

1	2	3	4	5	6	7	8	9
			Rs.					
5	Head Clerk.	Class III non-gazetted Ministerial Selection post.	160—10—250	2	100%	..	..	..
6	Statistical Assistant.	Class III non-gazetted non-ministerial	160—10—330	2	..	..	100%	..
7	Stenographer.	Class III Non-gazetted Ministerial	100—5—120 —8—200— 10/2—220 <hr/> 80—5—120 EB—8—200 10/2—220	28	..	..	100% Departmental candidates i.e. L.D.Cs. U.D.Cs. etc. are allowed to compete with the Employment Exchange nominees.	..
8	Upper Division Clerk.	Do. Non-selection	80—5—120 EB—8—200 —10/2—220	34	..	50%	50%	..
9	Accountant.	Do.	80—5—120 —EB—8— 200—10/2— 220	1	..	50%	50%	..
10	Storekeeper.	Class III non-gazetted Ministerial.	Do.	1	..	50%	50%	..
11	Upper Division Clerk-cum-Computer.	Do.	Do.	28	..	50%	50%	..
12	Lower Division Clerk.	Do.	60—3—81 —EB—4— 125—5— 130.	57	..	..	100%	..
13	Draftman (Mechanical).	Do. non-Ministerial	150—7— 185—8— 225.	1	..	100%	..	..

10	11	12	13	14	15	16
25 years.	(i) Graduate (ii) Experience in office work and administration.	Two years.	Will not apply in case of departmental candidates.	By selection out of Stenographers, U.D. Clerk, Acctt. & Store-Keeper Upper Division Clerk cum-Computer failing which by direct recruitment.	Dy. Directors—3, Asstt. Director—1, Admn. Officers—3, subject to the approval of Director.	
25 years.	M.A. Economics or Statistics.	Do.	..	..
25 years.	Matric 100 w.p.m. in short hand and 40 w.p.m. in typewriting.	Do. One year relaxation at the discretion of the Director.	Educational & professional qualifications will apply in case of departmental candidates.	As provided for in column 8.	Do.	
25 years.	(i) Graduate with office experience. (ii) Speed in typewriting 30 w.p.m.	Do.	Will not apply in case of departmental candidates.	Promotion from Lower Division Clerks failing which direct recruitment.	Do.	
25 years.	Graduate with adequate experience in accounts work.	Do.	Do.	Do.	Do.	
25 years.	Matric. Adequate experience in store keeping.	Do.	Do.	Do.	Dy. Directors—3, Asstt. Director—1, Admn. Officers—3, Do.	
25 years.	(i) Graduate. (ii) Knowledge to handle computers.	Do.	Do.	Do.		
25 years.	(i) Matric. (ii) Experience of office work preferable (iii) 30 w.p.m. speed in typewriting.	Do.	..	..	Do.	
25 years.	Matric with diploma or overseer certificate in Mechanical Engineering from a recognised Institute. (ii) Adequate experience in Mechanic draft-mar.ship.	Do.	Will not apply in case of departmental candidates.	Promotion from draftsman failing which direct recruitment.	Do.	

1	2	3	4	5	6	7	8	9
14	Draftsman	Class III non-ministerial.	60—4—120 —EB—5—150.	4	..	..	100%	..
15	Curator of museum.	Do. Non-ministerial.	160—10—330	7	..	50%	50%	..
16	Overseer (Civil).	Do.]	100—8—140— 10—300	2	..	50%	50%	..
17	Overseer (Mechanical) I	Do.	Do.	1	..	25%	75%	..
18	Librarian	Do	160—10—250.	1	..	..	100%	..
19	Malaria Assistant.	Do	160—10—300—15—375.	3	..	50%	50%	..
20	Technician/ Senior Technician.	Do.]	150—6—110	36	..	50%	50%	..
21	Senior Laboratory Assistant.]	Do.]	120—5—120	7	..	75%	25%	..
22	Laboratory Assistant/ Junior Technician.	Do.]	60—5—2—75—3—105	44	..	..	100%	..

10	11	12	13	14	15	16
25 years.	(i) Matric. Experience as Draftsman.	(ii) Two years	..	..	Dy. Director—3 Asst. Director—1 Admn. Officer—3	
25 years.	(i) Graduate with diploma in Museology Tech. training in civil Engg./Draftsmanship.	Do.	Educational qualifications not adherable in case of departmental candidates. But they should be adequately trained in Museology.	Promotion from Overseers & Mechanical Draftsman adequately trained in museology failing which by direct recruitment.	Do.	
25 years.	(i) Matric with diploma or overseer/certificate in Civil Engineering from a recognised Institute.	Do.	Will apply in case of departmental candidates.	Promotion from qualified draftsman failing which by direct rectt.	Do.	
25 years.	Matric with diploma or overseer certificate in Mechanical Engineering from a recognised Institute.	Do.	Do.	Promotion from qualified Draftsman & Mech. draftsman.	Do.	
25 years.	(i) Graduate (ii) Diploma in Librarianship.	Do.	Will apply in case of transfer.	..	Do.	
25 years.	(i) Science Graduate (ii) Training in Malariology preferable.	Do.	Will not apply in case of departmental candidate.	Promotion from graduate. Senior technicians and technicians failing which direct recruitment.	Do.	
25 years.	Science graduate	Do.	Do.	Promotion from Senior Laboratory Assistants failing which by direct recruitment.	Do.	
25 years.	Graduate with experience in Laboratory work.	Do.	Do.	Promotion from Laboratory Assistants or direct recruitment.	Do.	
25 years.	(i) Matric (ii) Aptitude for Laboratory Work.	Do.	Condition of fulfilling educational qualification will apply in case of departmental candidates.	Promotion from matriculate Insect Collectors or direct recruitment.	Do.	

1	2	3	4	5	6	7	8	9
23	Insect Collector.	Class III non-ministerial	60—5/2—75	42	..	100%	..	..
24	Mechanic	Do.	75—3—105	3	..	..	100%	..
25	Motor Mechanic	Do.	60—5/2— 75—3— 105	1	..	..	100%	..
26	Drivers	Do.	60—5/2— 75	33	..	..	100%	..
27	Chainman	Do.	50—2—60— 5/2—75	1	..	..	100%	..
28	Telephone Operator.	Do.	60—3—81— EB—4— —125—5— 130—45— 2—55—3— 85—EB—4— —105	2	..	..	100%	..
29	Carpenter	Class IV Non-gazetted.	40—2—60	1	..	25%	75%	..
30	Laboratory Attendant	Do.	35—1—40— —2—60	31	..	25%	75%	..
31	Daftary	Do.	35—1—50	7	..	100%	..	..
32	Peon	Do.	30—1—35	42	..	..	100%	..

10	11	12	13	14	15	16
25 years.	(i) Matriculate (ii) Aptitude for field work.	two years	Will not apply in case of departmental candidates.	Promotion from Laboratory Attendants or direct recruitment.	Dy. Director—3 Asst. Director—1 Admn. Officer—3	
25 years.	Literate (ii) capacity to handle machinery and experience in mechanical electrical welding works and fitters shop. Essential—3 years experience in the trade.	Do.		..	Do.	
25 years.	(i) Literate (ii) capacity to carry out minor repairs to motor vehicles. Essential—3 years experience in the trade.	Do.			Do.	
25 years.	Literate with license in motor driving. Desirable—Middle School standard passed	Do.	..		Do.	
25 years.	Literate with experience in surveying. Essential—3 years experience.	Do.	..		Do.	
25 years.	Matric (non-matric for two scales respectively) with experience as telephone operator.	Do.	.	..	Do.	
25 years.	(i) Literate (ii) Should know carpentry work. Essential—3 Yrs. experience.	Do.	Will apply in case of departmental candidates	Promotion from Class IV Members of staff knowing carpentry work or direct recruitment.	Do.	
25 years.	Matriculate (ii) Aptitude for Laboratory work.	Do.	Do.	Promotion from Class IV members of staff who are matriculates or direct recruitment.	Do.	
25 years.	Middle pass with English.	Do.	Will not apply in case of departmental candidates.	Promotion from Peons.	Do.	
25 years.	Middle pass.	Do.		..	Do.	

1	2	3	4	5	6	7	8	9
33	Chowkidar Watchman	Class IV non-gazetted	30 — 35	15			100%	
34	Frash	Do	Do	2			100%	
35	Cleaner	Do	Do	15			100%	
36	Head animal attendant	Do	35 — 40 — 50	1		100%		
37	Animal attendant	Do	30 — 35	27			100%	
38	Sweeper	Do.	Do	17			100%	

NOTE.—The vacancies in various posts to be filled by promotion as per remarks in col 14 of this statement should be restricted to the following descending order of priority when it is not so possible direct recruitment will be resorted for filling the vacancies.

- (i) Permanent incumbents.
- (ii) Q Permanent incumbents.
- (iii) Temporary employees who have completed 3 years.
- (iv) Temporary employees who possesses the minimum educational qualifications prescribed for the post.

10	11	12	13	14	15	16
25 Literate years	} Do. Do. Do. Do. Do. Do.	two years	..	..	Dy. Director—3 Asst. Director—1 Admn. officer—3 Subject to the approval of Director.	
25 Do.		Experi- Do.	..	..	Do.	
25 Do.		ience in Do.	..	..	Do.	
25 Do.]		their Do.	..	Promotion from	Do.	
25 Do.]		respec- Do.	..	animal attdt. &		
25 Do.]		tive Do.	..	sweepers or		
25 Do.]		pro- Do.	..	direct recruit-		
25 Do.]		fes- Do.	..	ment.		
25 Do.]		sions. Do.	..	..	Do.	
25 Do.]		Do.	..	..	Do.	

[No. F.4—70/57-Instt.]

A. C. RAY, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)
(Transport Wing)

New Delhi, the 20th January 1960.

G.S.R. 114.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes 'the following amendment to the Notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. G.S.R. 312 dated the 17th February, 1959, namely :—

In the Schedule to the said notification, after item "2. Upper Division Clerk" and the entries relating thereto, the following items and entries shall be inserted namely :—

1	2	3	4	5	6	7	8	9	10	11	12	13
2-A.	Steno- grapher	Two (one at Bom- bay and one at Calcutta)	Class III Non-ga- zatted (Minis- terial)	Rs. 80-5- 120-E.B.- 8-200-10/2- 220.	Not appli- cable.	By direct recruit- ment failing which by transfer. 100% by direct recruit- ment	18-25 years	Posses- sion of Matricu- lation Certifi- cate, speed of 100 words per minute in short- hand, and 40 words per minute in typing	Two years	Does not arise	By transfer of steno- graphers from any office subordinate to the D. G. Ship- ping. If suitable candidates are not available from amongst the Employment Ex- changes, the post may be filled by open advertisement in which case departmental candi- dates who are eligible in respect of age educational qualifications etc. would also be allowed to compete along with out- siders. Depart- mental candidates will be allowed age concession upto a maximum of 5 years.	Not applicable

[No. 6-MT(53)/58]

S. K. VENKATACHALAM, Dy. Secy.

**(Department of Transport)
(Transport Wing)**

PORTS

New Delhi, the 21st January 1960

G.S.R. 115.—The following draft of certain amendments to the Port of Kandla (Petroleum) Rules, 1955 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 1st March 1960.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date above specified will be considered by the Central Government.

Draft Amendments

A. In the said rules, in Part I—

(1) the existing rule 13 shall be re-numbered as sub-rule (a) and the following shall be added as sub-rule (b):

“(b) Vessels which have no arrangements for working fire hoses, while discharging or loading petroleum in the harbour, shall have adequate fire extinguishing appliances so disposed that they can be put into immediate use, and, if the petroleum is dangerous petroleum, shall have their awnings furled.

NOTE.—The fire extinguishing appliances referred to in sub-rule (b) shall be of a pattern approved by the officer appointed under rule 30 of the Petroleum Rules, 1937 and shall be fitted in position approved by him;”

(2) the existing rule 24 shall be re-numbered as sub-rule (a), and the following shall be added as sub-rules (b) and (c):—

“(b) In the case of a vessel which is not equipped with its own power for discharging or loading petroleum and is also not discharging or loading with the assistance of the Booster pumping station on the shore, when such vessel has finished loading or unloading petroleum other than fuel oil, the pipe line and flexible hoses engaged shall be immediately emptied of petroleum by passing water through the line. The oily water shall be collected in the tanks of such vessel or in drums; and in the latter case the drums with their contents shall be immediately removed from the port area. All due precautions shall be taken at all times to prevent any escape of petroleum or oily water into the Kandla Harbour waters.

(c) The flexible armoured hoses and metal pipes engaged in loading or discharging dangerous petroleum or non-dangerous petroleum in bulk shall be disconnected after flushing, before sunset or after sunrise only; and all due precautions shall be taken to avoid the spillage of oil or oil mixed water on the wharves, jetties and landing places or in the Kandla harbour waters.

NOTE.—Sub-rule (c) shall not apply to those vessels which discharge or load dangerous petroleum or non-dangerous petroleum through pipe lines by means of their own power and which flush the pipe lines in conformity with sub-rule (a) above.”;

B. In the said rules, in Part II—

(1) The existing rule 4 shall be substituted by the following rule;

“4. (a) (i) Where adequate electric lighting is installed and rule 105 of the Petroleum Rules, 1937 is complied with, tank-ships and barges which have commenced the discharge into storage tanks on shore, or loading their own tanks of dangerous petroleum in bulk one hour before sunset, may continue the said discharge or loading even after sunset.

(ii) Should anything occur during discharging or loading dangerous petroleum after sunset which necessitates a repair or disconnection of the plant, pipes or connections, such discharging or loading shall be discontinued until after the following sunrise.

(iii) Save as provided by sub-rule (a) (i) above, dangerous petroleum shall not be discharged or loaded between the hours of sunset and sunrise.

(b) Bulk oil vessels which conform to the requirements of Appendix ‘C’ to these rules, may in special circumstances, be permitted to discharge by steam

from their own boilers or by internal combustion engines placed in a position remote from cargo holds and pump rooms but bulk oil vessels not so conforming shall necessarily discharge by availing the shore pumping facilities.

(c) In bulk oil vessels conforming with Appendix C to these rules and having the cargo pump driven by electric motor, the electric motor shall be of approved design and its connections shall be isolated from the cargo pump by a gass-tight bulk head of sufficient height to preclude the possibility of inflammable vapour entering the motor compartment. A gass-tight gland shall be fitted where the driving shaft passes through the bulk head.

NOTE.—Before any bulk oil vessel is permitted to discharge dangerous petroleum under its own power as mentioned in rule 4 above, special permission shall be obtained from the Conservator or any other officer authorised by him in this behalf.”;

(2) the existing rule 17 shall be substituted by the following rules:

“17. (a) Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank covers or for connecting and dis-connecting the flexible armoured hoses and metal pipes, nor shall any chipping of iron rust or paint be carried on in the vicinity during the loading or discharge of dangerous petroleum.

(b) Foot wear which exposes any iron or steel shall not be worn on the deck of any vessel while the loading or discharging of dangerous petroleum is proceeding.

18. Fires and lights not be used on Quay.—Fires and lights other than electric filament lamp and/or self contained electric lamps, heaters, cookers or other similar type of safe apparatus, so designed, constructed and maintained as to be incapable of igniting inflammable vapour, shall not be used upon the quay upon which dangerous petroleum is being landed or loaded, or upon which dangerous petroleum is lying.

19. Red Flag or Red Light exhibited on Oil Jetty, Pier.—Whilst a bulk oil vessel is actually engaged in discharging or loading dangerous petroleum or cleaning her tanks or ventilating vapour from opened tanks at the Oil Jetty a red flag by day or a red light by night shall be exhibited on the flagstaff near the landing steps.

No steam launch or vessel having fires, lights or persons smoking on board shall be allowed within 100 yards of such bulk oil vessel or alongside the Pier while this signal is exhibited.

20. Distance between ships.—Two or more petroleum ships shall not, except for purpose of transhipment, lie within 100 feet of one another unless in the opinion of the Deputy Conservator it is impracticable to maintain such distance.

21. Superintendence.—For the safer loading and unloading of dangerous petroleum and for the prevention of accident by fire or explosion the Port Administration may appoint a person or persons to superintend and enforce the observance of these rules during the discharge or loading of dangerous petroleum and the Owner of the vessel shall be liable to pay to the Port the reasonable expenses of such superintendence. Such superintendence shall not attach any legal liability to or constitute the acknowledgement by the Port that the rules have been observed and shall not release the Owner or Master of the vessel from responsibility for failing to observe the rules.

22. Inspection.—The owner shall, when so required by the Deputy Conservator, or other official authorised by the Port authority, afford every reasonable facility to enable such official to ascertain whether these rules are duly observed.”

[No. F. 2B-PG(86)58.]

MISS I. INDIRA, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

(Directorate of Marketing and Inspection)

Nagpur, the 24th December 1959

G.S.R. 116.—For the purpose of the Government of India, Ministry of Finance (Revenue Division). Notification No. S.R.O. 3184 dated the 28th December, 1956, published in the Gazette of India Part II Section III, I hereby authorise the following officers to issue certificates to the effect that sandalwood oil has

been graded in accordance with the provisions of the Essential Oils Grading and Marking Rules, 1954, issued under Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 with immediate effect until further orders.

1. Shri H. C. Mathur, Dy Senior Marketing Development Officer, Wool Bristles and Goat Hair Grading Scheme, Kanpur.
2. Shri S. P. Singh, Dy. Marketing Development Officer, Inspection Service, Kanpur.

Similar authorisation issued to Shri Om Prakash, Officer-in-Charge, Central Control Laboratory, Kanpur and Shri V. Chandramouly, Chief Chemist, Central Control Laboratory, Kanpur *vide* this Directorate notification Nos. F. 3(110)/30/58-P(E.O.) dated 3rd October, 1958 and Notification No. 3(110)/30/59-Plg., dated 13th June, 1959 is cancelled.

[No. 3(110)/33/59-Plg.]

N. P. CHATTERJI,

Agricultural Marketing Adviser.

(Department of Agriculture)

New Delhi, the 18th January 1960

G.S.R. 117.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating recruitment to the posts of Administrative Officers (Class II) at the Central Inland Fisheries Research Station at Barrackpore (Calcutta) and the Central Marine Fisheries Research Station, Mandapam Camp, under the Ministry of Food and Agriculture (Department of Agriculture), namely:—

- (1) **Short title.**—These rules may be called the Central Inland and Marine Fisheries Research Stations (Recruitment to posts of Administrative Officer) Rules, 1959.
- (2) **Application.**—These rules shall apply to the posts of Administrative Officer specified in column 1 of the Schedule annexed herewith.
- (3) **Number, Classification and Scale of Pay.**—The number of posts, the classification thereof and the scales of pay attached to them shall be as specified in columns 2 to 4 of the said Schedule.
- (4) **Method of Recruitment, Age Limit and other Qualifications.**—The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 13 of the Schedule *aforsaid*:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of scheduled castes tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

- (5) **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment to any of these posts:

Provided that the Government of India, may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

*Recruitment Rules for the Post of Administrative Officer in the Central Marine Fisheries Research
Ministry of Food and Agriculture (Department of Agriculture)*

Name of post	No. of posts	Classification]	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
Administrative Officer	2	G. C. S. Class II (Gazetted).	Rs. 275—25— 500.	Not applica- ble.	Below 30 years.
..

Station, Mandapam Camp and Central Inland Fisheries Research Station, Barrackpore (Calcutta),

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer and percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
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7	8	9	10	11	12	13
<i>Essential :</i>						
(i) Degree of a recognised University.	Not applicable.	2 years	Direct recruitment.	Not applicable.	Not applicable.	As required under the rules.
(ii) About 5 years' experience of administrative accounts and establishment work in a Government Department preferably a scientific institution.						
(iii) Knowledge of Government rules and Regulations. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.						

[No. 1-76/69-FY(I).]

I. P. MATHUR, Under Secy.

(Department of Agriculture)

New Delhi, the 20th January 1960

G.S.R. 118.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in Part II of the Schedule to the notification of the Government of India in the Ministry of Agriculture No. SRO 634-A dated the 28th February, 1957, namely:—

After heading and entries relating to the 'Sugarcane Breeding Institute, Combatore', the following heading and entries shall be inserted:—

1	2	3	4	5
"Sugarcane Sub-Station, Karnal All posts	Assistant Botanist	Assistant Botanist	All	Director"

[No. 2-2/59.Scane Instt.]

PARTAP SINGH, Under Secy.

(Department of Food)

ORDER

New Delhi, the 21st January 1960

G.S.R. 119.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Rice (Northern Zone) Movement Control Order, 1958, namely:—

In the said Order, in clause 4, for the words "Assistant Sub-Inspector", the words "Head Constable" shall be substituted.

[No. 204(NRZ) (1)/396/60-PY. II.]

G.S.R. 120.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendment in the Punjab Paddy (Export Control) Order, 1959, namely:—

In the said Order, in clause 4, for the words "Assistant Sub-Inspector", the words "Head Constable" shall be substituted.

[No. 204(PB) (1)/397/60-PY. II.]

G.S.R. 121.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendment in the Inter-Zonal Wheat Movement Control Order, 1957, namely:—

In the said Order, in clause 4, for the words "Assistant Sub-Inspector", the words "Head Constable" shall be substituted.

[No. 204(IZWO) (1)/395/60-PY.II.]

S. N. BHALLA, Dy. Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 25th January 1960

G.S.R. 122.—R/Amdt. XXXVIII.—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954

(44 of 1954), the Central Government hereby makes the following further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

In the said rules,—

(1) after rule 33, the following rule shall be inserted, namely:—

"33A. *Deed of transfer for immovable property transferred under section 20A(1) (a) of the Act.*

Where any immovable property in the compensation pool or any part thereof, situated in an urban area, is transferred to any person under clause (a) of sub-section (1) of section 20A of the Act, a deed of transfer in the form specified in Appendix XXIV-A with such modifications as may be necessary in the circumstances of the case, shall be executed."

(Amendment No. XXXVIII, dated 25th January, 1960).

(2) after rule 68, the following rule shall be inserted, namely:—

"68A. *Grant of sanad for transfer of alternative property under section 20A(1) (a) of the Act.*

Where any immovable property in the compensation pool or any part thereof, situated in a rural area, is transferred to any person under clause (a) of sub-section (1) of section 20A of the Act the transferee shall be granted a Sanad in the form specified in Appendix XV-A with such modifications as may be necessary in the circumstances of the case."

(Amendment No. XXXVIII, dated 25th January, 1960).

(3) after Appendix XV, the following Appendix shall be inserted, namely:—

APPENDIX XV-A

SANAD

(Rule 68-A)

Whereas the property described in column No. 1 of the Schedule hereunder written (hereinafter referred to as the "said Schedule") originally belonging to s/o resident of village tehsil District vested in the Custodian of Evacuee Property under the Administration of Evacuee Property Act, 1950,

And whereas the Central Government is of opinion that it is not expedient or practicable to restore the property described in column No. 1 of the Schedule hereunder written to the said

And whereas the alternative property described in column No. 2 of the said Schedule which has been acquired by the Central Government by the notification of the Government of India in the Ministry of Rehabilitation No. dated issued under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (Act No. 44 of 1954);

And whereas under the provisions contained in section 20A(1)(a) of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (Act No. 44 of 1954) the Central Government has decided to transfer to the said s/o of the alternative property described in column No. 2 of the said Schedule in lieu of the property described in column No. 1 of the said Schedule belonging to the said

And whereas the said son of died on at leaving behind him as his successors-in-interest;

The President is hereby pleased to transfer the right, title and interest acquired by the Central Government in the alternative property described in column No. 2 of the said Schedule to (hereinafter referred to as the transferee).

And for the removal of doubts, the President of India hereby certifies and declares that he grants and transfers to the aforesaid transferee the alternative property described in column No. 2 of the said Schedule, TO HOLD the same to

the aforesaid absolutely for every free from encumbrances subject nevertheless to the payment of land revenue or other impositions payable in respect of the same.

The grant hereby made and the covenant herein contained shall ensure for the benefit of and be binding upon the heirs, legal representatives, successors and assigns of the aforesaid In consideration of President of India transferring the alternative property mentioned in column No. 2 of the said Schedule, the aforesaid hereby releases relinquishes and abjures his right, title and interest in the original property described in column No. 1 of the said Schedule and agrees that the Custodian or the Central Government shall not be liable in any manner whatsoever for any claim, demand, liability or obligation in respect of anything which is in good faith done or intended to be done by the Custodian in pursuance of the Evacuee Property Act, 1950 (Act XXXI of 1950) or Rules and orders made thereunder or for any loss or damage caused to the aforesaid as a result of this transfer.

THE SCHEDULE ABOVE REFERRED TO

S. No.	Column No. 1	Column No. 2
1.	Names of Meo(s).	Alternative properties allotted to him and in his possession.
	(a) Lands in ownership	(a)
	(b) Other lands (e. g. lease hold rights tenancy, etc.)	
2		(b)
3		(c)
4		(d)

Executed this day of
at by

Sd/- Custodian/Regional Settlement
Commissioner.

for and on behalf of the President of India.

I accept this transfer on the terms herein contained.

*Sd/-

*N.B.—Here the owner will append his signature in token of accepting the Sanad.

(Amendment No. XXXVIII, dated 25th January, 1960).

(4) after Appendix XXIV, the following Appendix shall be inserted, namely:—

APPENDIX XXIV-A

“Deed of conveyance Regarding Immovable Property transferred under Section 20A(1)(a) of the Act. (Rule 33-A).

This indenture made the day of one thousand nine hundred and BETWEEN the President of India hereinafter called “the Government” (which expression shall unless repugnant to the context or meaning thereof include his successors and assigns) of the one part and son of called “the Transferee” (which expression shall unless repugnant to the context or meaning thereof be deemed to include his heirs, executors and administrators) of the other part;

Whereas the property described in column No. 1 of the Schedule hereunder written (hereinafter referred to as the “said Schedule”) originally belonging to son of resident of village tehsil District vested in the Custodian of Evacuee Property under the Administration of Evacuee Property Act, 1950;

And whereas the Central Government is of opinion that it is not expedient or practicable to restore the property described in column No. 1 of the Schedule hereunder written to the said

And whereas the alternative property described in column No. 2 of the said Schedule has been acquired by the Central Government by the notification of the

Government of India in the Ministry of Rehabilitation No. dated issued under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (Act No. 44 of 1954);

And whereas under the provisions contained in section 20-A(1)(a) of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (Act No. 44 of 1954) the Central Government has decided to transfer to the said son of of the alternative property described in column No. 2 of the said Schedule in lieu of the property described in column No. 1 of the said Schedule belonging to the said;

And whereas the said son of died on at leaving behind him as his successors-in-interest;

Now this indenture witnesseth for the purpose of carrying into effect the said transfer and in consideration of the above premises the Government doth hereby transfer, assign and assure unto the transferee all that piece or parcel of land, hereditaments and premises known as more particularly described in column No. 2 of the Schedule hereunder written TOGETHER WITH all buildings, commons, fences, hedges, ditches, ways, waters, water-courses, liberties, privileges, easements, and appurtenance whatsoever to the said piece or parcel of land belonging or in any way appertaining or usually held or enjoyed therewith or reputed to belong or be appurtenant thereto; AND ALL THE ESTATE, right, title, interest, claim and demand whatsoever of the Government into and upon the said premises and every part thereof EXCEPTING AND RESERVING to the Government all mines and minerals of whatever nature lie to in or under the said premises together with full liberty at all times for the Government its agents and workmen to enter upon all or any part of the said premises, to search for, make merchantable and carry away the said mines and minerals under or upon the said premises or any adjoining lands of the Government and to let down the surface of all or any part of the said premises and any buildings standing thereon or hereafter to be erected thereon, making fair compensation to the Transferee for damage done thereby TO HAVE AND TO HOLD the said land, hereditaments and premises hereby granted, transferred and assured, or expressed so to be, unto and to the use of the Transferee subject nevertheless to the payment of such land revenue, cesses and taxes as are or may be assessed or imposed on the said premises and the Government doth hereby covenant with the Transferee that the Government has not done anything or suffered anything to be done whereby the said premises are in any way encumbered or affected.

In witness whereof the Government has caused on its behalf to set his hand hereunto the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO

S. No.	Column No. 1	Column No. 2
1.	Names of Meo (s)	Original properties belonging to him.
		Alternative properties allotted to him.
		(a)
	(a) Lands in ownership.	
	(b) Other lands (e.g. lease-hold rights, tenancy etc.	
2.		(b)
3.		(c)
4.		(d)

Signed by.....
for and on behalf of the Presiden
of India in the presence of :

- 1.
- 2.

(Amendment No. XXXVIII, dated the 25th January, 1960).

[No. F. 7(5)Policy-I/59.]

I. N. CHIB, Dy. Secy.

